

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 WESTERN DISTRICT OF WASHINGTON
AT TACOMA

7 DANIEL C. CARTER,

8 Plaintiff,

9 v.

No. C11-5626 RJB/KLS

10 WASHINGTON DEPARTMENT OF
11 CORRECTIONS, ELDON VAIL, RONALD
12 FARKER, BRENT CARNEY, JAY A.
JACKSON, and JAMIE CALLEY,

13 Defendants.

**ORDER DENYING MOTION TO
COMPEL**

14 Before the Court is Plaintiff's Motion to Compel. ECF No. 26. Having reviewed the
15 motion and Defendants' response (ECF No. 27), the Court finds that the motion should be denied
16 because Plaintiff did not include a certification in his motion that he conferred with counsel for
17 Defendants before he filed his motion and because his motion is now moot as Defendants have
18 complied with his request.

19
20 Plaintiff is advised that while a party may apply to the Court for an order compelling
21 discovery "upon reasonable notice to other parties and all persons affected thereby," the motion
22 must also include a certification that the movant has in good faith conferred or attempted to
23 confer with the person or party failing to make the discovery in an effort to secure the
24 information or material without court intervention." Fed. R. Civ. P. 37(a)(2)(B). In addition,
25 "[a] good faith effort to confer with a party or person not making a disclosure or discovery
26 requires a face-to-face meeting or a telephonic conference." Local Rule CR 37(a)(2)(A).

1 The Court anticipates that the parties will confer and make a good faith effort to resolve
2 their discovery disputes without Court interference. The Court will not address any motions
3 lacking such a certification.

4 Moreover, the sole issue raised in Plaintiff's motion is that he wants documents
5 responsive to his First Request for Production of Documents sent to him on a CD. ECF No. 26.
6 Defendants sent him the CD. ECF No. 27, Exhibit 1.

7
8 Accordingly, it is **ORDERED**:

9 (1) Plaintiff's motion to compel (ECF No. 26) is **DENIED**.

10 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to counsel
11 for Defendants.

12
13 **DATED** this 30th day of April, 2012.

14 
15 Karen L. Strombom
16 United States Magistrate Judge
17
18
19
20
21
22
23
24
25
26